IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 12847 of 2007(D)

PETITIONER:

R.VASUDEVAN NAIR,S/O.RAMAKRISHNAN NAIR,
ASSISTANT DEPOT ENGINEER (RETD.),KSRTC,
PONKUNNAM PUTHUPARAMBIL,PUTHAKUZHY P.O,PAMPADY,
KOTTAYAM.

BY ADV. SRI.P.P.SOMAN NAIR

RESPONDENTS:

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1. KERALA STATE ROAD TRANSPORT CORPORATION,
REP.BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN,FORT P.O,THIRUVANANTHAPURAM-23.

2. THE FINANCIAL ADVISOR AND CHIEF
ACCOUNTS OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN,FORT P.O,THIRUVANANTHAPURAM-23.

3. THE ASSISTANT ACCOUNTS OFFICER,(PENSION)
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN,FORT P.O,THIRUVANANTHAPURAM-23.

4. THE ASSISTANT TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
ERATTUPETTA.

5. THE PAMPADY SERVICE CO-OPERATIVE BANK
LTD,NO.831,SOUTH PAMPADY REPRESENTED BY ITS
SECRETARY.

BY SC SRI.K.PRABHAKRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 12847 of 2007

Dated this 12th day of April , 2007

JUDGMENT

The petitioner, retired from the KSRTC on 28.2.2004. His turn for getting retiral benefits as per the guidelines framed on the basis of the judgment of the Division Bench of this court in W.A. No. 289/2001 is likely to arrive within 6 to 12 months. The petitioner in this writ petition seeks out of turn release of the retiral benefits on the reason that the 5th respondent society has initiated legal proceedings against him and his wife. The case of the petitioner that the 5th respondent society has initiated recovery proceeding against him and his wife is seen supported by Exts.P2 and P3. The total claim under Exts.P2 and P3 is around Rs.2,32,405/-. The total amount due to the petitioner by way of DCRG as per Ext.P1 order is 2,03,115/-.

2. Under the above circumstances, applying the principles laid down in the judgment in W.A. No.1775/2004, I dispose of

the writ petition directing the KSRTC to pay to the petitioner all the amounts due to him by way of DCRG out of turn within one month of receiving a copy of this judgment. Payment of DCRG will be made by the respondents by means of a crossed instrument drawn in favour of the 5th Respondent Bank. The petitioner is permitted to place a copy of this judgment before the 5th respondent and apply for adjournment of the proceedings.

PIUS C.KURIAKOSE
Judge

dpk